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MINISTRY OF COMMERCE AND INDUSTRY

ORDERS

New Delhi, the 2nd April 1958

S.O. 446.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely:—

1. Short title and application.—(1) This Order may be called the Non-Ferrous Metals Control Order, 1958.

(2) It shall apply in the first instance to imported copper but the Central Government may, by notification, in the official Gazette, direct that it shall apply to any other imported non-ferrous metal.

2. Definitions.—In this Order, unless the context otherwise requires,—

- (a) “Controller” means the Chief Industrial Adviser to the Government of India and includes the Development Officer (Metals);
- (b) “importer” means any person who imports any non-ferrous metal into India but does not include a railway administration;
- (c) “non-ferrous metal” means imported copper, lead, tin and zinc in any of the forms specified in the Schedule to this Order.

3. Controlled price of non-ferrous metal.—(1) No person shall sell or offer to sell any non-ferrous metal at a price which exceeds the amount represented by an addition of 3½ per cent. to its landed cost.

(2) No person shall purchase or offer to purchase from any person any non-ferrous metal at a price higher than that at which it is permissible for that other person to sell to him under sub-clause (1).

4. Acquisition of non-ferrous metal by permit only.—No person shall acquire or agree to acquire any non-ferrous metal except under and in accordance with a permit issued in this behalf by the Controller in accordance with such principles as the Central Government may from time to time specify.

5. Importer to notify quantities of non-ferrous metal imported.—Every importer shall immediately notify to the Controller—

- (a) any quantity of a non-ferrous metal imported by him on or after 3rd April, 1958;
- (b) any quantity of a non-ferrous metal cleared by him through the customs on or after 3rd April, 1958.

6. Importers to maintain books of account etc.—Every importer shall—

- (a) maintain such books, accounts and other records relating to the import and sale of non-ferrous metals as the Controller may direct;

- (b) produce before any officer authorised by the Controller in this behalf any such books, accounts or other records as that Officer may require;
- (c) furnish to the Controller or any officer authorised by the Controller in this behalf any information in his possession relating to the import and sale of non-ferrous metals.

7. Power to entry, search, etc.—The Controller or any officer authorised by him in this behalf may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with—

- (a) enter and search any premises, vehicles, vessels and aircraft in which he has reason to believe that any non-ferrous metal is stocked;
- (b) inspect or cause to be inspected any book or document as well as any stocks of a non-ferrous metal belonging to, or under the control of, an importer;
- (c) seize with such assistance or aid as may be necessary any non-ferrous metal in respect of which he suspects that any provision of this Order has been, is being or is about to be, contravened.

THE SCHEDULE

[See clause. 2(c)]

1. Copper—unwrought in the form of ingots, blooms, slabs, cakes, tiles, bricks, blocks, billets, cathodes, blister bars, electrolytic wire bars and ingot bars.

2. Lead—lead ingot, pig and scrap.

3. Tin—tin block and tin scrap.

4. Zinc—zinc or spelter, unwrought including mazak alloys of zinc and aluminium containing not less than 94 per cent. zinc, zinc dross, dust, ashes and zinc in the form of ingots, cake, tile, slab, plate and granulations including all forms of zinc scrap, zinc wrought including wire rods, sections, sheets including highly polished sheets especially prepared for making process blocks, lithographic sheets and the following manufactures, namely, zinc perforated sheet cut to size.

[No. D.S.(TC)/226/58.]

S.O. 447.—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the power to make orders under clauses (f) and (j) of sub-section (2) of Section 3 of the said Act shall, in relation to any non-ferrous metal to which the Non-Ferrous Metals Control Order, 1958 for the time being applies, be exercisable also by the Chief Industrial Adviser to the Government of India and the Development Officer (Metals).

[No. D.S.(TC)/226/58.]

K. B. LALL, Jt. Secy